



WP No.28389 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2024

CORAM:

THE HON'BLE MR.JUSTICE D. KRISHNAKUMAR

AND

THE HON'BLE MR.JUSTICE P.B. BALAJI

WP No.28389 of 2024

R.Karthika

... Petitioner

versus

1.The Deputy Collector (Revenue) North
Department of Revenue & Disaster Management
Pondicherry.

2.The Tahsildhar,
Taluk Office,
Near RTO Office,
Pondicherry.

3.The Director of School Education,
Perunthalaivar Kamarajar Centenary
Educational Complex,
100 Feet Road, Anna Nagar,
Puducherry.

... Respondents



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PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus, to call for the records leading to the issuance of the impugned order passed by the first respondent in No.3557/DCRN/A2/Appeal/2024/1904, dated 09.08.2024 and quash the same and consequently direct the respondents 1 and 2 to issue Hindu-Reddy (Ganjam) OBC community certificate to the petitioner and pass orders.

For Petitioner : Mr.D.Ravichander

For Respondents 1 to 3 : Mr.S.Raveekumar
Government Pleader (Puducherry)

ORDER

(Made by D. KRISHNAKUMAR, J.)

Writ petition is filed challenging the order passed by the first respondent in No.3557/DCRN/A2/Appeal/2024/1904, dated 09.08.2024, denying the community certificate Hindu-Reddy (Ganjam) and consequently direct the respondents 1 and 2 to issue Hindu-Reddy (Ganjam) OBC community certificate to the petitioner.

2. The third respondent has issued direct recruitment notification for the post of Trained Graduate Teacher (Subjects) 2024. On 18.02.2024, the petitioner had applied for the aforesaid post through online. The



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petitioner was orally informed that she will not be considered in OBC category for want of Hindu-Reddy (Ganjam) certificate. Thereafter, on 09.06.2024, the petitioner applied for community certificate before the second respondent through online. On 14.06.2024, the second respondent had sent communication to Cuddalore Taluk Tahsildhar to ascertain community of the petitioner's father. Sine the second respondent did not take any action, the petitioner submitted a representation dated 08.07.2024 to the first respondent. The first respondent has treated the petitioner's representation as appeal and had passed the impugned order denying the community certificate Hindu-Reddy (Ganjam). Hence, the petitioner has filed the present writ petition.

2. A detail counter affidavit has been filed by the first respondent on behalf of the second respondent, wherein it is stated as follows:

The petitioner has also willfully suppressed this material fact of her representation dated 19.09.2024 to the District Collector in her affidavit sworn before this Hon'ble Court.

I respectfully submit that the Tahsildar, Cuddalore Taluk, has given a report dated 02.09.2024 on the caste/community of the petitioner's late father as if he is still alive, whereas



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the fact is that the petitioner's father had expired on 13.07.2000 as per the death certificate issued by the Ariankuppam Commune Panchayat, Puducherry. It is therefore submitted that the report now issued by the Tahsildar, Cuddalore Taluk in respect of the petitioner's late father needs to be verified by the competent authority of the Government of Puducherry for its correctness and authenticity. Hence, it is humbly prayer before the Hon'ble Court that the writ petition filed by the petitioner may be dismissed and her application for Hindu-Reddy (Ganjam) OBC certificate may be considered once again on merit by the Tahsildar on the basis of all the documents to be submitted now by the petitioner as evidence, and the said representation may be considered and disposed on merit within a short period of 7 days by the Tahsildar, Taluk Office, Puducherry.

3. In view of the specific stand taken in the counter affidavit, and also in the light of the statement made by the first respondent in the counter affidavit that the second respondent Tahsildar has to consider the representation of the petitioner and dispose of the same, as early as possible, subsequent to the production of the said documents before the first respondent, we do not wish to go into any other ground in the writ petition. Hence, we direct the second respondent to consider the representation dated 09.06.2024 of the petitioner for issuance of community certificate, on its own merits and pass orders, as early as possible, within a period of two



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weeks from the date of receipt of a copy of this order.

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4. We make it clear that the second respondent has to consider the application of the petitioner for issuance of community certificate without being influenced by any of the observation made by the appellate authority.

5. With the above directions, the writ petition stands disposed of. There shall be no order as to costs. Consequently, W.M.P.Nos.30955 and 30956 of 2024 are closed.

(D.K.K., J.) (P.B.B., J.)
28.10.2024

Index : Yes/No
Neutral Citation : Yes/No
mrn

To
1.The Deputy Collector (Revenue) North
Department of Revenue & Disaster Management
Pondicherry.

2.The Tahsildhar,
Taluk Office,

5/7



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Near RTO Office,
Pondicherry.

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3.The Director of School Education,
Perunthalaivar Kamarajar Centenary
Educational Complex,
100 Feet Road, Anna Nagar,
Puducherry.

D. KRISHNAKUMAR, J.

and

P.B. BALAJI, J.

(mrn)



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